

**COURT OF APPEALS
DECISION
DATED AND RELEASED**

June 13, 1995

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See § 808.10 and RULE 809.62, STATS.

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

No. 95-0130-CR

STATE OF WISCONSIN

IN COURT OF APPEALS
DISTRICT I

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

BRIAN L. MAASS,

Defendant-Appellant.

APPEAL from a judgment of the circuit court for Milwaukee County: TIMOTHY G. DUGAN, Judge. *Affirmed.*

SCHUDSON, J.¹ Brian L. Maass appeals from the judgment of conviction, following a jury trial, for violation of a harassment injunction, contrary to § 813.125(7), STATS. He argues that the evidence was insufficient. This court affirms.

¹ This appeal is decided by one judge pursuant to § 752.31(2), STATS.

Maass was charged in two separate complaints that were consolidated for trial. Each complaint alleged two counts: violation of a harassment injunction, and bail jumping. At the close of evidence, the trial court granted Maass's motion to dismiss both bail jumping counts, but denied his motion to dismiss the harassment injunction counts. The jury found him not guilty of one of those counts, but guilty of violation of a harassment injunction committed on January 14, 1994, at 8724 West Potomac, in Milwaukee.

Maass argues that the evidence was insufficient to convict because it failed to show that he had actual or constructive notice of the location of the victim's home. He points out that the harassment injunction prohibited him from "going to petitioner's place of employment or home," but that it listed no specific address for the petitioner's home. On appeal, he maintains, "[i]t is clear that the defendant was enjoined from going to the home of the complainant but how was he to know that she resided at the Potomac Street address."

At Maass's jury trial, Yolanda Gonzalez, the petitioner who obtained the harassment injunction, testified not only that she saw Maass at her home on January 14, 1994, but also that he "was right in front of our house" on Potomac Street the day she and Edward Croft were moving in on either October 22 or 23, 1993. Edward Croft testified that he and Ms. Gonzalez moved to the Potomac Street address on October 22-23, 1993, and that on October 23 he saw Maass in front of their house sitting in his auto. Croft also testified that he saw Maass at their home in January 1994. Duane Burdette testified that when he was helping Gonzalez and Croft on October 23, 1993, he also saw Maass at 8724 West Potomac.

In reviewing a challenge to the sufficiency of evidence to support a jury's verdict, this court reviews the evidence in the light most favorable to the verdict. *State v. Johnston*, 184 Wis.2d 794, 818, 518 N.W.2d 759, 767 (1994). This court must affirm the judgment unless the evidence is so lacking in probative value that, as a matter of law, no jury could have found guilt beyond a reasonable doubt. *Id.* Here, clearly, the testimony of Gonzalez, Croft, and Burdette was sufficient for the jury to conclude that Maass knew that Gonzalez

was living at the Potomac Street residence and that he violated the harassment injunction by going to her home on January 14, 1994.²

By the Court. – Judgment affirmed.

This opinion will not be published. See RULE 809.23(1)(b)4, STATS.

² Maass also argues that “[t]he injunction in this case clearly exceeded the express language of the statute.” He fails, however, to adequately develop this argument. See *State v. Gulrad*, 140 Wis.2d 721, 730, 412 N.W.2d 139, 142-143 (Ct. App. 1987) (inadequately developed arguments need not be considered on appeal).